

United States District Court
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

Case Number:

V.

(01) RAY JAMES BROWN
(02) MICHAEL BROOKS BYNUM
(03) RAYSHAWN EARL JAMES BROWN

12-MJ-373-AJB

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about April 3, 2012, in Ramsey County, in the State and District of Minnesota, defendants, aiding and abetting each other and others known and unknown, knowingly possessed in and affecting interstate commerce, a glock handgun, which they used and possessed in relation to the robbery of the West Seventh pharmacy, thereby obstructing or delaying the movement of any article or commodity in commerce, and constituting an attempt to obstruct or delay the movement of any article or commodity in commerce,

in violation of Title 18, United States Code, Sections 1951(a) and 2; and 924(c) and 2.

I further state that I am a Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

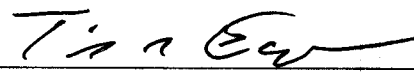
Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

Date

June 14, 2012
The Honorable Arthur J. Boylan
UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer

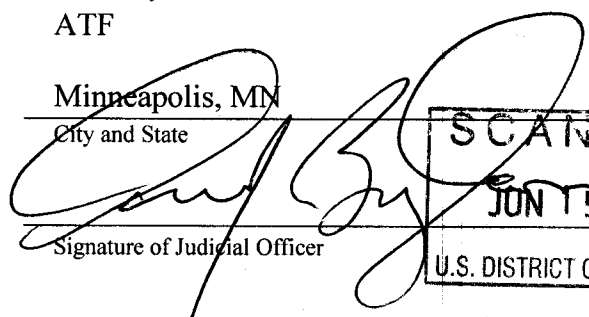
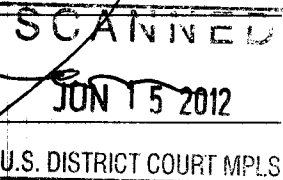


Signature of Complainant

Timothy Eck
ATF

at

Minneapolis, MN
City and State


Signature of Judicial Officer

STATE OF MINNESOTA)

) ss.

AFFIDAVIT OF TIMOTHY ECK

COUNTY OF HENNEPIN)

I, Timothy Eck being duly sworn, depose and state as follows:

1. Your Affiant is a Police Officer employed by the City of Minneapolis, and has been so employed for approximately twelve years. I am currently a Task Force Officer assigned to the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) in the Saint Paul Field Office. I am also assigned to the Minneapolis Police Gang Enforcement Team (GET). As an investigator in this capacity, my duties and responsibilities include conducting criminal investigations of individuals and entities for possible violations of Federal, State and local laws. I have previously participated in several investigations which resulted in the arrests, searches, seizures, and convictions of individuals. My current assignment involves the regular investigation of violent criminals, criminal organizations such as street gangs and drug trafficking organizations, and conducting criminal investigations of individuals and organizations who may have committed violations of the Federal firearms laws.

2. This Affidavit is submitted in support of a Complaint establishing probable cause to believe that RAY JAMES BROWN ("Ray Brown"), MICHAEL BROOKS BYNUM ("Bynum") and RAYSHAWN EARL JAMES BROWN ("Rayshawn Brown") committed the following federal violations:

- a. Robbery of the West Seventh Pharmacy business on April 3, 2012, in violation of Title 18, United States Code, Sections 1951(a) and 2; and
- b. Use and possession of a firearm in relation to the robbery of the West Seventh Pharmacy on April 3, 2012, in violation of Title 18, United States Code, Sections 924(c) and 2.

The facts set forth in this Affidavit are based on my review of reports, my personal investigation, and discussions I have had with other law enforcement personnel. The facts set forth herein contain information sufficient to support probable cause. This Affidavit is not intended to convey all of the facts learned during this investigation.

3. Law enforcement developed information that a maroon and black Cadillac Seville associated with BYNUM had been used in at least one pharmacy robbery in the Twin Cities. On April 3, 2012, law enforcement observed Bynum's Cadillac in the area of the West Seventh Pharmacy, located at 1106 Seventh Street West in the City

of St. Paul, Minnesota. Law enforcement also observed two black males appear to be "casing" the pharmacy.

4. These two men, later identified as RAYSHAWN BROWN and RAY BROWN, entered the pharmacy. Both men were wearing all black, gloves, and nylon masks over their faces. The men approached the pharmacy counter where employees B.M.C., S.A.P., and the pharmacist, were working. One of the men was armed with a gun and he pointed the gun directly at the employees and demanded B.M.C. and S.A.P. get down on the floor and then ordered the pharmacist to place all the Percocet, Vicodin, and Oxycontin, into a white plastic bag being held by the other robber. The pharmacist emptied a large dispenser of Percocet into the plastic bag and one of the robbers asked about the Oxycontin. The pharmacist informed the men the store did not have Oxycontin. The robbers then grabbed several bottles of pills and fled from the store. As the robbers left, they threatened the employees not to move or they would be shot.

5. Shortly thereafter, police officers observed BYNUM's Cadillac leaving the area of the Pharmacy. Police officers stopped the vehicle and RAYSHAWN BROWN and RAY BROWN left out of the Cadillac and fled on foot. Police officers pursued the two men and observed RAY BROWN pull what appeared to be a black handgun from his waistband and toss it into a dumpster. RAY BROWN was caught by police shortly thereafter. Police officers returned to the dumpster and located a black Glock handgun inside. A short distance from the dumpster, police officers recovered a white bag filled with drugs stolen from the pharmacy.

6. At the scene of the vehicle, police officers identified BYNUM as the driver of the Cadillac and observed black masks next to the vehicle.

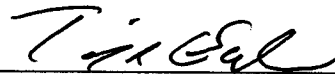
7. Police officers set up a perimeter to capture the other robber. While officers were searching the area, RAYSHAWN BROWN emerged from behind a house. RAYSHAWN BROWN claimed to police officers that he was homeless and had been living under the porch of the house. Police officers, however, identified RAYSHAWN BROWN as one of the man they had seen fleeing police.

8. In a post-Miranda statement, RAY BROWN admitted to robbing several pharmacies, including robbing the West Seventh Pharmacy on April 3, 2012. RAY BROWN specifically explained that on April 2, 2012, BYNUM called to plan executing a robbery. Thereafter, on April 3, 2012, BYNUM drove RAY BROWN and RAY BROWN's brother, RAYSHAWN BROWN, to the West Seventh Pharmacy. RAY BROWN admitted he entered the pharmacy with a gun and demanded drugs while RAYSHAWN BROWN held the bag. When they fled the store they got

into the Cadillac driven by BYNUM until the vehicle was stopped by police at which point he fled from the car.

9. In a post-Miranda statement, RAYSHAWN BROWN admitted to robbing the West Seventh Pharmacy with his brother RAY BROWN.

10. I conducted an interview of the owner of the West Seventh Pharmacy where the robbery occurred. I learned from that interview that the store was robbed during business hours and while customers were in the store. I also learned that many of the products sold in the Pharmacy and used to facilitate the operation of the business are manufactured outside the State of Minnesota. Consequently, I believe that the robbery of the West Seventh Pharmacy involved an attempted obstruction or delay of commerce, and an attempted obstruction or delay of the movement of any article or commodity in commerce.



Timothy Eck
Task Force Officer, ATF

Subscribed and sworn to before me
this 14 day of June, 2012.



Honorable Arthur J. Boylan
UNITED STATES MAGISTRATE JUDGE